

**ASSEMBLY BILL**

**No. 64**

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**Introduced by Assembly Member Jeffries**

December 9, 2010

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An act to add Section 5080.42 to the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 64, as introduced, Jeffries. State parks: California Citrus State Historic Park: operating agreement.

Existing law authorizes the Department of Parks and Recreation to enter into an agreement with an agency of the United States, a city, county, district, or other public agency, or any combination thereof, for the care, maintenance, administration, and control of lands of the state park system.

This bill would require the department to enter into an operating agreement with the City of Riverside for the development, improvement, restoration, care, maintenance, administration, and control of California Citrus State Historic Park. The bill would require that the agreement contain certain provisions. The bill also would require that, notwithstanding the existence of the operating agreement, the park remain eligible for any grants or funding for which the park was eligible prior to the agreement.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. The Legislature finds and declares all of the  
2 following:

3     (a) California Citrus State Historic Park located in the City of  
4 Riverside opened to the public in 1993 and its visitor center opened  
5 to the public in 2003.

6     (b) The City of Riverside worked in conjunction with the  
7 Department of Parks and Recreation, with the city as lead, in  
8 administering the design and construction of Phase I and Phase II  
9 of the visitor center.

10    (c) With possible future state budget reductions, the Department  
11 of Parks and Recreation may be shuttering parks across the state  
12 and California Citrus State Historic Park is anticipated to be on  
13 the closure list.

14    (d) The City of Riverside is prepared to prevent even a  
15 short-term closure of California Citrus State Historic Park by  
16 assuming full responsibility for the maintenance and operation of  
17 this significant regional asset.

18    (e) The City of Riverside is willing to memorialize its long-term  
19 commitment to operating and investing in the long-term  
20 enhancement of California Citrus State Historic Park by entering  
21 into a 25-year operating agreement to assume all responsibilities  
22 for the park.

23    (f) The City of Riverside will ensure consistency with the state's  
24 mission statement for the ongoing operation of California Citrus  
25 State Historic Park. The city is uniquely suited to enhance the  
26 visitor experience at California Citrus State Historic Park by  
27 expanding highly successful programming to that location to  
28 include summer concerts, special events, walking groups, and  
29 expansion of education programs in conjunction with the city's  
30 museum department.

31    (g) The City of Riverside is confident that California Citrus  
32 State Historic Park will become an even more significant regional  
33 attraction under the city's stewardship. The city's commitment to  
34 assist the State of California in achieving the full potential for  
35 California Citrus State Historic Park will complement the state's  
36 overall success in providing park experiences of nationwide  
37 renown.

1 SEC. 2. Section 5080.42 is added to the Public Resources Code,  
2 to read:

3 5080.42. (a) Notwithstanding any provision of this article, the  
4 department shall enter into an operating agreement with the City  
5 of Riverside for the development, improvement, restoration, care,  
6 maintenance, administration, and control of California Citrus State  
7 Historic Park. The agreement shall include, but is not limited to,  
8 all of the following:

9 (1) Execution of an operating agreement granting control of the  
10 park to the city for one dollar (\$1) per year for a term of 25 years  
11 with an automatic renewal of the operating agreement after each  
12 25-year period, unless the department or the city decides not to  
13 renew the operating agreement at least six months before the  
14 expiration of the existing operating agreement. The terms of  
15 renewal shall take into consideration the state's ability to assume  
16 operations and maintenance at the levels achieved under the city's  
17 stewardship at the time of the operating agreement termination.

18 (2) Imposition of full and complete responsibility on the city  
19 for all costs of maintenance of the park, including existing and  
20 future facilities, fixtures, grounds, and amenities, throughout the  
21 term of the operating agreement and periods of extension.

22 (3) A requirement that the city, the department, and the  
23 California Citrus State Historic Park Nonprofit Management  
24 Corporation collaborate on programming at the park, for example,  
25 recreational activities, educational programs, facility rentals, and  
26 special events.

27 (4) A requirement that the city obtain the department's approval  
28 before making a capital improvement to, or changing the physical  
29 space of, the park, that is not consistent with the California Citrus  
30 State Historic Park general plan.

31 (5) A requirement for appropriate reciprocal indemnifications.

32 (6) A requirement that the park continue to be designated and  
33 promoted as a unit within the state park system.

34 (7) A requirement that the city not impose a charge for general  
35 admission to the park.

36 (b) Notwithstanding the existence of the operating agreement,  
37 the park shall be eligible for any grants or funding for which the  
38 park was eligible prior to the agreement.

- 1 (c) The department and the city shall consider the impact on
- 2 park vendors of a proposed closure of the park or a proposed
- 3 alteration of the operating agreement.
- 4 (d) The operating agreement does not affect the classification
- 5 of the park as a unit of the state park system. The signs for the park
- 6 shall continue to reflect the state park nature of the park.